IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1767 OF 2004
IN
EXECUTION APPLICATION NO.422 OF 1998
IN
SUIT NO.2235 OF 1987

The Board of Trustees of the Port of Bombay ..Plaintiffs.

Vs.

Indian Overseas Manufacturing Co. ..Defendants.

And

Mr.Narayanbhai G. Patel ..Applicant.

Mr.U.J.Makhija i/b.M/s.Motiwala & Co. for the Plaintiffs.

Ms.L. Munim i/b.Mr.Vijay Tawde for the Applicant.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH FEBRUARY, 2006

P.C. :

The Chamber Summons is filed to raise and set aside the attachment levied in respect of residential premises of which the Applicant is the owner.

2. The warrant of attachment was issued in execution of a decree passed on 13.12.1988 in favour of the Plaintiffs against the Defendants for a sum of Rs.4,85,333/-.

3. Admittedly, the premises are the residential tenanted premises and not liable therefore to be attached in execution of a decree.

4. In the circumstances, Chamber Summons is made absolute in terms of prayer (a).

No order as to costs.